

Homicide and Suicide among the Joluo of Kenya

der the head of manslaughter should be punished at all. They 682
 feel that a person who makes the mistake of killing in anger 692
 is or has been or will eventually be punished by the ancestors,
 God, the elements, by illness, bad luck, misfortune, or the like,
 in the inevitable nature of things.

It is believed that cold-blooded, premeditated murder brings 682
chira to the group and is therefore punished by the tribe or by 783
 the segment affected. The group or the individual who took
 what they regarded as this calculated risk was eventually
 banished from the tribe or if large and strong enough to domi-
 nate the political unit to which the deceased belonged could
 force his supporters, usually his segment of the clan, to break
 away and leave the area. Luo kinship describes all members of [601]
 the clan in the same genealogical generation as brothers; fra-
 tricide, therefore, has a very wide range.

Luo clans occupy and are identified with a geographical 614
 area. The clan and the area it occupies are usually called after 682
 the eponym of the tribe. Those living within a clan or tribal 609
 area who are not members of the clan or tribe are regarded as 768
 squatters (*jodak*) with limited rights. They may be unrelated 583
 squatters, but most often are found to be affines of legitimate
 clan members. Murder committed by such persons invokes
 immediate counteraction on the part of those who belong to
 the land by virtue of descent, *jogweng*. Cattle could be taken [611] ●
 by force, the culprit banished or killed, and/or a woman from
 that group married by a member of the dead man's minimal
 lineage, his *jokakwaro*, to raise seed unto the dead man's name.
 This woman would be regarded as the wife of the dead man,
 her children would placate his ghost as father (*wuoro*), the
 physical father would merely serve as genitor.

One major clan, *Kakia*, of a powerful tribe, the Seme of Cen- 614
 tral Nyanza, descended from a woman of this type—but then 682
 not exactly of this type: what happened was as follows. A 628
jodak, living in the clan area of Seme, killed the son of an im- 611
 portant elder of the tribe. He fled to his own tribal land to 768

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614 avoid the immediate consequences and as a result war broke
 682 out between the people of Seme and the people of his tribe,
 628 Ugenya. After many years of intermittent and bitter warfare
 611 the elders of both tribes met to settle the dispute. Their solu-
 768 tion was as follows: because the elder who lost his son did not
 583 have an unmarried son to take a woman of the killer's clan,
 and because the killer's minimal lineage did not have a suitable
 daughter to give in marriage, it was decided that the killer
 should marry the daughter of the deceased's father, and
 through her raise seed to the dead man. The killer, contrary
 to custom but as part of the settlement, was forced to live at
 [517] the home of his bride and was subsequently adopted into the
 clan of the deceased. It is interesting, however, that the epon-
 ym of the clan which today traces descent from this couple
 is the bride, Kia, and not the killer or the deceased. It is, to my
 knowledge, the only clan in Luo which has a woman as an
 eponym, but then she was apparently regarded as a male by
 her contemporaries.

674 This background was given to provide the reader with some
 775 idea of the Joluo attitude to homicide. Deeply ingrained is the
 notion that life goes on after death on earth—that ancestors in
 the spirit world are able to influence the lives, conduct, fortunes,
 for good or evil, of their descendants. Ghosts are more likely
 to be benevolent if they can count numerous descendants on
 earth and extremely malevolent if life on earth was cut short
 by violence or unnatural death by war, accident, or suicide.
 The ghosts of the latter are believed to be more difficult to deal
 with than those of ordinary spirits of old men or women. The
 more descendants a ghost has, the higher its status in the after-
 world, and therefore the greater its pleasure and benevolence.

768 The Joluo had developed several devices to deal with cases
 of homicide. A wife could be married in the name of a mur-
 839 dered youth to raise seed to his name, to placate his spirit
 611 and to continue his line for posterity. A young adolescent
 609 woman who died was deflowered by a stranger (*jokawiny*)